

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

No. 2:08-CR-00017-FL-1

UNITED STATES OF AMERICA ,)
)
)
v.) ORDER
)
ASHONTA BUSH,)
)

This matter is before the court upon its own initiative, upon review of the docket, where a motion for reduction of sentence - crack cocaine offense 18 to 1 (DE 67) and a motion to stay (DE 69) remain pending. In light of the court's judgment on October 15, 2012, and defendant's resentencing on November 6, 2012, whereupon the court resented petitioner not only in accordance with United States v. Simmons, 649 F.3d 237 (2011), but also in accordance with the Fair Sentencing Act of 2010 (FSA), as well as the amended guidelines to implement the 18:1 ratio of cocaine to cocaine base, defendant's motion for reduction of sentence (DE 67) and motion to stay (DE 69) are DENIED AS MOOT. In addition, for the same reasons, the court's notice entered May 22, 2013, is hereby STRICKEN.

So ordered, this the 14th day of August, 2013.



LOUISE W. FLANAGAN
United States District Judge